

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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CHRISTINE HAZEL S. CRUZ,

Plaintiff,

Case No.: 17-CV-07685
(PGG)(OTW)

-against-

G-STAR INC., G-STAR USA LLC, and G-STAR
RAW C.V.,

**~~PROPOSED~~ ORDER FOR THE
PRODUCTION OF ADDITIONAL
EMAILS BY DEFENDANTS**

Defendants.
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ONA T. WANG, United States Magistrate Judge:

Pursuant to Plaintiff Christine Hazel S. Cruz (“Plaintiff”) and Defendants G-Star Inc. and G-Star USA LLC (“Defendants”) letter request dated March 13, 2020, hereby adopts the following:

1. Defendants will produce emails from the following custodians as set forth herein:

- i. Kendra Palmer
- ii. Tony Lucia
- iii. Abiy Paulos
- iv. Claudia van Hunnik
- v. Jouvanda Weeks
- vi. Juan Garcia
- vii. Willemien Storm
- viii. Fanny Smits
- ix. David Lopez
- x. Francois Nelis
- xi. Craig Travis
- xii. Felix Khoury
- xiii. Kervin Joseph
- xiv. Heather Jordan
- xv. Erik van de Peppel
- xvi. Monique Blaauw
- xvii. Lucinda van der Eng
- xviii. Wesley Vress

(collectively the “Custodians”).

2. Defendants shall run separate searches for each of the following search terms within the date range of Plaintiff’s employment (November 1, 2012 through January 27, 2017), for each of the Custodians:

- i. All emails from hazel-cruz@g-star.com;
- ii. All emails to hazel-cruz@g-star.com;

- iii. All emails cc: hazel-cruz@g-star.com;
- iv. All emails bcc: hazel-cruz@g-star.com; and
- v. All emails with the body or subject of the email containing hazel-cruz@g-star.com
- vi. All emails with the body or subject of the email containing “Hazel”
- vii. All emails with the body or subject of the email containing “Cruz”
- viii. All emails with the body or subject of the email containing “Hazel Cruz”

The cumulative results of each of those search terms shall be referred to herein as the “Overall Search Results”.

3. Defendants will then search the Overall Search Results for potentially privileged documents by searching the Overall Search Results to identify potentially privileged emails i.e. (a) messages to or from in-house and/or outside lawyers; and (b) messages mentioning such lawyers. The search terms that the parties have agreed to are as follows:

Name of Lawyer	Position	Search Terms
Christian de Bil	General Counsel	<ul style="list-style-type: none"> i. All emails to Christian-de-Bil@g-star.com ii. All emails from Christian-de-Bil@g-star.com iii. All emails cc: Christian-de-Bil@g-star.com iv. All emails bcc: Christian-de-Bil@g-star.com v. All emails with the body or subject of the email containing Christian-de-Bil@g-star.com vi. All emails with the body or subject of the email containing Christian de Bil
Barbara van Lohuizen	Corporate Counsel	<ul style="list-style-type: none"> i. All emails to Barbara-van-Lohuizen@g-star.com ii. All emails from Barbara-van-Lohuizen@g-star.com iii. All emails cc: Barbara-van-Lohuizen@g-star.com iv. All emails bcc: Barbara-van-Lohuizen@g-star.com

		<ul style="list-style-type: none"> v. All emails with the body or subject of the email containing <u>Barbara-van-Lohuizen@g-star.com</u> vi. All emails with the body or subject of the email containing Barbara van Lohuizen vii. All emails with the body or subject of the email containing Lohuizen;
Martina Rössel	In-house Counsel	<ul style="list-style-type: none"> i. All emails to <u>martina-roessel@g-star.com</u> ii. All emails from <u>martina-roessel@g-star.com</u> iii. All emails cc: <u>martina-roessel@g-star.com</u> iv. All emails bcc: <u>martina-roessel@g-star.com</u> v. All emails with the body or subject of the email containing <u>martina-roessel@g-star.com</u> vi. All emails with the body or subject of the email containing Martina Roessel vii. All emails with the body or subject of the email containing Rossel viii. All emails with the body or subject of the email containing Roessel
Evelyn Verstraaten	In-house Counsel	<ul style="list-style-type: none"> i. All emails to <u>evelyn-verstraaten@g-star.com</u> ii. All emails from <u>evelyn-verstraaten@g-star.com</u> iii. All emails cc: <u>evelyn-verstraaten@g-star.com</u> iv. All emails bcc: <u>evelyn-verstraaten@g-star.com</u> v. All emails with the body or subject of the email containing <u>evelyn-verstraaten@g-star.com</u>

		<ul style="list-style-type: none"> vi. All emails with the body or subject of the email containing Evelyn Verstraaten vii. All emails with the body or subject of the email containing Verstraaten
Siew Hu	Paralegal (working with General Counsel and Corporate Counsel)	<ul style="list-style-type: none"> i. All emails to siew-hu@g-star.com ii. All emails from siew-hu@g-star.com iii. All emails cc: siew-hu@g-star.com iv. All emails bcc: siew-hu@g-star.com v. All emails with the body or subject of the email containing siew-hu@g-star.com vi. All emails with the body or subject of the email containing Siew Hu vii. All emails with the body or subject of the email containing Siew
Femke d Herripon	Paralegal (working with General Counsel and Corporate Counsel)	<ul style="list-style-type: none"> i. All emails to femke-d-herripon@g-star.com ii. All emails from femke-d-herripon@g-star.com iii. All emails cc: femke-d-herripon@g-star.com iv. All emails bcc: femke-d-herripon@g-star.com v. All emails with the body or subject of the email containing femke-d-herripon@g-star.com vi. All emails with the body or subject of the email containing Femke d Herripon vii. All emails with the body or subject of the email containing Femke viii. All emails with the body or subject of the email containing Herripon

Kathleen M. Kunder	FHC Partner – Employment & Litigation	<ul style="list-style-type: none"> i. All emails to kmkunder@foxlex.com ii. All emails from kmkunder@foxlex.com iii. All emails cc: kmkunder@foxlex.com iv. All emails bcc: kmkunder@foxlex.com v. All emails with the body or subject of the email containing kmkunder@foxlex.com vi. All emails with the body or subject of the email containing Kathleen M. Kunder vii. All emails with the body or subject of the email containing Kunder viii. All emails with the body or subject of the email containing Kathleen
Chizuko S. Ueno	FHC Partner – Corporate	<ul style="list-style-type: none"> i. All emails to csueno@foxlex.com ii. All emails from csueno@foxlex.com iii. All emails cc: csueno@foxlex.com iv. All emails bcc: csueno@foxlex.com v. All emails with the body or subject of the email containing csueno@foxlex.com vi. All emails with the body or subject of the email containing Chizuko S. Ueno vii. All emails with the body or subject of the email containing Chizuko viii. All emails with the body or subject of the email containing Ueno

William I. Kaplan	FHC Partner – Real Estate	<ul style="list-style-type: none"> i. All emails to wikaplan@foxlex.com ii. All emails from wikaplan@foxlex.com iii. All emails cc: wikaplan@foxlex.com iv. All emails bcc: wikaplan@foxlex.com v. All emails with the body or subject of the email containing wikaplan@foxlex.com vi. All emails with the body or subject of the email containing William I. Kaplan vii. All emails with the body or subject of the email containing Bill Kaplan viii. All emails with the body or subject of the email containing Kaplan
Eric N. Fidel	FHC Associate – Corporate	<ul style="list-style-type: none"> i. All emails to efidel@foxlex.com ii. All emails from efidel@foxlex.com iii. All emails cc: efidel@foxlex.com iv. All emails bcc: efidel@foxlex.com v. All emails with the body or subject of the email containing efidel@foxlex.com vi. All emails with the body or subject of the email containing Eric N. Fidel vii. All emails with the body or subject of the email containing Fidel

The results of each of those search terms shall be collectively referred to herein as the “Potentially Privileged Emails”.

4. By April 16, 2020, Defendants will deliver to Plaintiff the Overall Search Results less any Potentially Privileged Emails (which shall be referred to herein as the “Initial Email Production”). Defendants shall deliver the Initial Email Production designated as CONFIDENTIAL under the February 26, 2018 protective order. The Initial Email Production shall be delivered to Plaintiff’s counsel by electronic file transfer or delivery of a thumb drive, in native .pst format with one .pst file for each Custodian, labeled in a manner so that Plaintiff’s counsel can identify which .pst file contains the Initial Email Production for each of the Custodians.

5. By April 30, 2020 Defendants will conduct a privilege review of the Potentially Privileged Emails and produce to Plaintiff’s counsel the following:

a. a privilege log identifying any emails and/or documents from the Overall Search Results that Defendants claim are privileged and/or partially privileged emails by identifying (i) the nature of the privilege being asserted i.e. work product etc. (ii) the general subject of the email (iii) the date of the email (iv) the author of the email (v) the recipients (vi) the relationship of the author to the recipients in accordance with Local Civil Rule 26.2; and

b. any emails in the Potentially Privileged Emails that are found not to be privileged in native .pst format with one .pst file for each Custodian labeled in a manner so that Plaintiff’s counsel can identify which .pst file contains those non-privileged emails for each of the Custodians (for the sake of clarity the .pst files that are being delivered under this sub paragraph shall not contain the emails already delivered as part of the Initial Email Production);

c. for any emails that are found to be partially privileged, PDF copies of those emails, with redactions as necessary, bates stamped and corresponding to the privilege log, separated in a manner so that Plaintiff’s counsel can identify which PDF’s or groups of PDF’s come from each of the Custodians.

6. In the event that Defendants need to modify the foregoing dates due to managing coronavirus obstacles or technical issues, the parties will work together in good faith to submit an agreed upon proposal for a reasonable modification of these deadlines based on the reason for the proposed modification.

SO ORDERED.

DATED: April 2, 2020
New York, New York



ONA T. WANG
UNITED STATES MAGISTRATE JUDGE